

REMARKS

Applicants hereby request further consideration of the application in view of the amendments above and the comments that follow. Applicants hereby request entry of the foregoing amendments, which place the application in condition for allowance or better condition for appeal.

Applicants wish to thank the Examiner for the courtesies extended to Applicants' attorney, David Beatty, during the telephonic interview of November 8, 2007.

Interview Summary

Applicants provide the present Interview Summary to respond to the Interview Summary (Form PTO-413) mailed November 14, 2007 for the telephonic interview of November 8, 2007. Pursuant to M.P.E.P. Section 713.04, Applicants provide the present Interview Summary to confirm that the Examiner's Interview Summary fully describes the substance of the interview so as to provide a separate record of the substance of the interview. During the interview, the Examiner and Applicants' attorney discussed certain proposed amendments, as discussed in more detail below.

Status of the Claims

Claims 1-7 and 9 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which is regarded as the invention. Claims 1-7 and 9 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 11-19, 23, 24 and 35- 48, 51 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Algazi et al (US 2004/0076301 A1) ("Algazi") in view of Barker (US 4,638,410). The Action indicates that Claims 49 and 50 would be allowable if rewritten in independent form.

The Rejections under Sections 112 and 101

Claim 1 has been amended to depend from Claim 43. Applicants respectfully submit that the rejections under Sections 112 and 101 are overcome by this amendment.

The Rejections under Section 103

Claims 11 and 43 have been amended as proposed during the telephonic interview. In the interview, the Examiner indicated that these amendments would patentably distinguish the inventions of Claims 11 and 43 from the cited art. Accordingly, Applicants do not believe any further argument or discussion is necessary. However, in the event the Examiner requires additional discussion or is no longer of the opinion that the amendments herein overcome the outstanding rejections, Applicants respectfully request that the Examiner contact the undersigned by telephone.

The Action indicates that Claims 49 and 50 would be allowable if rewritten in independent form. Claims 49 and 50 have been rewritten in independent form as new Claims 52 and 53, respectively.

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CONCLUSION

Applicants respectfully submit that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,



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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 16, 2007.


Kirsten S. Carlos